

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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MAY 18 1993

In the Matter of:

Implementation of the
Cable Television Consumer
Protection and Competition
Act of 1992

Cable Home Wiring

MM Docket No. 92-260

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYSUPPORTING COMMENTS OF GTE

GTE Service Corporation ("GTE"), on behalf of its domestic telephone operating companies and GTE Laboratories Incorporated, offers its comments in support of the Petition for Reconsideration ("Petition") filed April 1, 1993 by the NYNEX Telephone Companies, New England Telephone and Telegraph Company and New York Telephone Company ("NTCs" collectively). The Petition was placed on public notice May 3 at 58 Fed. Reg. 26,323 (1993).

The Petition (at 2) requests, inter alia, that the Commission reconsider its decision to apply its rules for disposition of cable home wiring only upon termination of service by the subscriber. The NTCs (at 5 and 6) demonstrate that subscriber control of cable home wiring must begin immediately upon installation in order to achieve the Commission's objective of fostering competition and consumer choice. They note that even if cable service provided by the installer has not been terminated, a subscriber could obtain additional services from other providers through simultaneous use of spare capacity of the wiring. Foreclosing a subscriber from exercising this option not only impedes competition, but the efficient deployment of new services as well.

GTE agrees with the NTCs that the Commission should reconsider its conclusion that its rules will only apply at termination of service. GTE filed Reply Comments in this proceeding on December 15, 1992 and asserted that the Commission was not precluded from "adopting, on its independent authority, rules covering cable wire from

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the time of installation" (at 5). GTE reiterates here that the simple grant of customer pre-termination rights regarding cable home wiring does not impose common carrier obligations on the cable operator and is lawful so long as the cable operator continues to be able to fulfill the service provider's need and duty to control such problems as theft of service and harmful signal leakage.

GTE urges the Commission to combine the authority mandated by the 1992 Cable Act with its own preexisting powers under the Communications Act and create cable home wiring rules that deal with disposition that is not dependent on service termination. The NTCs Petition should be granted.

Respectfully submitted,

GTE Service Corporation and
its affiliated domestic
telephone operating companies

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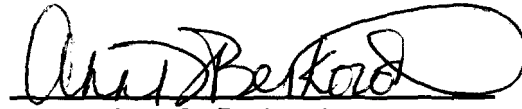
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May 18, 1993

Their Attorneys

Certificate of Service

I, Ann D. Berkowitz, hereby certify that copies of the foregoing "Supporting Comments of GTE" have been mailed by first class United States mail, postage prepaid, on this 18th day of May, 1993 to all parties of record.

A handwritten signature in black ink, appearing to read "Ann D. Berkowitz", written over a horizontal line.

Ann D. Berkowitz